

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case: 1:10-cr-20350
Judge: Ludington, Thomas L
MJ: Binder, Charles E
Filed: 06-09-2010 At 04:07 PM

v.

RUTH ANN BUCK, M.D.,

Defendant.

INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

1. Beginning in or about January, 2006, and continuing up to and including July 1, 2009, these dates being approximate, RUTH ANN BUCK, M.D., defendant, engaged in a scheme and pattern of illegal conduct by prescribing and distributing prescription drug controlled substances illegally, outside the course of usual medical practice.

2. At all times mentioned in this indictment, defendant was a medical doctor, licensed by the State of Michigan, and authorized by the United States Drug Enforcement Administration to prescribe and dispense controlled substances. At various times

defendant operated her office out of the "West Side Urgent Care" clinic at 3323 Shattuck Road, a hotel room in the Residence Inn hotel at 5230 Fashion Square Boulevard, and a commercial complex at 7204 Gratiot Road, all in Saginaw, Michigan.

3. On or about the dates set forth below, in the Eastern District of Michigan, Northern Division, defendant knowingly, intentionally, and unlawfully distributed, outside the course of professional practice and for no legitimate medical purpose, quantities of Schedule II, III and IV controlled substances, including but not limited to the Schedule II drugs OxyContin (oxycodone), Dilaudid (hydromorphone hydrochloride), methadone hydrochloride, and morphine sulfate, the Schedule III drug Vicodin (acetaminophen hydrocodone bitartrate), and the Schedule IV drug Xanax (alprazolam). These and other similar illegal controlled substance distributions too numerous to list were accomplished by the writing of prescriptions. From January 2006, until July 2009, defendant prescribed approximately 712,395 dosage units of Vicodin (acetaminophen hydrocodone bitartrate), 224,103 dosage units of OxyContin (oxycodone), 182,285 dosage units of Xanax (alprazolam), 145,657 dosage units of morphine sulfate, 133,302 dosage units of methadone hydrochloride, and 129,810 dosage units of Dilaudid (hydromorphone hydrochloride).

COUNTS 1-7
Distribution of Controlled Substances
21 U.S.C. § 841(a)(1)

4. Paragraphs One through Three are incorporated as though fully set forth herein.

5. On or about the dates set forth below, in the Eastern District of Michigan, Northern Division, defendant wrote multiple prescriptions for controlled substances to an undercover patient without any significant medical examination of the patient, knowing that the amounts prescribed were far in excess of the legitimate medical needs of that patient, and despite being informed that the patient was misusing the drugs. These and other factors established that defendant knowingly, intentionally, and unlawfully distributed controlled substances, in violation of 21 United States Code, Section 841(a)(1).

<u>COUNT</u>	<u>DATE</u>	<u>PRESCRIPTION DATE</u>	<u>PATIENT</u>	<u>DRUG</u>
1	May 14, 2009	May 14, 2009	"Sammy Woods"	Alprazolam 1mg #120
2	May 14, 2009	May 14, 2009	"Sammy Woods"	OxyContin 40mg #60
3	June 11, 2009	June 11, 2009	"Sammy Woods"	OxyContin 80mg #120
4	June 11, 2009	June 11, 2009	"Sammy Woods"	Dilaudid 4mg #120
5	June 11, 2009	July 1, 2009	"Sammy Woods"	Alprazolam 1mg #90
6	June 11, 2009	July 9, 2009	"Sammy Woods"	OxyContin 80mg #120
7	June 11, 2009	July 9, 2009	"Sammy Woods"	Dilaudid 4mg #120

COUNTS 8-32
Distribution of Controlled Substances
21 U.S.C. § 841(a)(1)

6. Paragraphs One through Five are incorporated as though fully set forth herein.

7. On or about the dates set forth below, in the Eastern District of Michigan, Northern Division, defendant wrote multiple prescriptions for controlled substances to patients without proper assessment of the patient, without close monitoring to maintain compliance and monitor inappropriate behavior, and knowing that the amounts prescribed were far in excess of the legitimate medical needs of that person. These and other factors established that defendant knowingly, intentionally, and unlawfully distributed controlled substances, in violation of 21 United States Code, Section 841(a)(1).

<u>COUNT</u>	<u>PRESCRIPTION DATE</u>	<u>PATIENT INITIALS</u>	<u>DRUG</u>
8	January 3, 2006	R. G.	OxyContin 20mg #180
9	January 3, 2006	R. G.	OxyContin 40mg #180
10	February 26, 2007	D. G.	OxyContin 40mg #120
11	February 26, 2007	D. G.	Vicodin 10mg #160
12	December 7, 2007	D. Y.	OxyContin 20mg #90
13	December 7, 2007	D. Y.	OxyContin 40mg #90
14	December 7, 2007	D. Y.	OxyContin 20mg #270
15	December 7, 2007	D. Y.	OxyContin 40mg #270
16	February 4, 2008	J. S.	Oxycodone 40mg #240
17	February 4, 2008	J. S.	Oxycodone 80mg #360

18	May 5, 2008	M. K.	Morphine Sulfate 30mg #180
19	May 5, 2008	M. K.	Methadone 10mg #480
20	May 5, 2008	M. K.	OxyContin 40mg #180
21	May 5, 2008	M. K.	Alprazolam 0.5mg #90
22	July 3, 2008	B. L.	Alprazolam 2mg #150
23	July 3, 2008	B. L.	Dilaudid 8mg #400
24	October 10, 2008	S. D.	OxyContin 80mg #120
25	January 14, 2009	M. B.	OxyContin 40mg #120
26	January 14, 2009	M. B.	OxyContin 80mg #180
27	January 30, 2009	M. K.	Methadone 10mg #2160
28	February 25, 2009	D. M.	OxyContin 40mg #120
29	February 25, 2009	D. M.	OxyContin 60mg #120
30	February 25, 2009	D. M.	OxyContin 80mg #180
31	February 25, 2009	D. M.	Xanax 2mg #120
32	March 4, 2009	T. C.	OxyContin 80 mg #120

FORFEITURE ALLEGATIONS

21 U.S.C. § 853

1. Upon conviction of one or more of the controlled substance violations of Title 21, United States Code, Section 841 alleged in Count(s) 1-32 of this Indictment, defendant RUTH ANN BUCK, M.D., shall, pursuant to Title 21, United States Code, Section 853(a), forfeit to the United States any property constituting, or derived from, any proceeds defendant obtained, directly or indirectly, as the result of such violation(s);

2. Upon conviction of one or more of the controlled substance violations of Title 21, United States Code, Section 841 alleged in Count(s) 1-32 of this Indictment, defendant RUTH ANN BUCK, M.D., shall, pursuant to Title 21, United States Code, Section 853(a), forfeit to the United States and any of defendant's property used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation(s).

3. If any of the property described in paragraphs 1-2 hereof as being subject to forfeiture pursuant to Title 21, United States Code, Section 853, as a result of any act or omission of defendants --

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred to, sold to, or deposited with a third party;
- c) has been placed beyond the jurisdiction of this Court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be divided without difficulty;

the United States of America, pursuant to Title 21, United States Code, Section 853(p), intends to seek forfeiture of all other property of defendants up to the value of the property subject to forfeiture described in paragraphs 1-2.

THIS IS A TRUE BILL

Dated: June 9, 2010

s/Grand Jury Foreperson
GRAND JURY FOREPERSON

BARBARA L. McQUADE
United States Attorney

s/Shane N. Waller
Assistant U.S. Attorney
101 First Street, Suite 200
Bay City, Michigan 48708-5747
(989) 895-5712
shane.waller@usdoj.gov
(TX24049796)

s/Barbara Colby Tanase (P38539)
Assistant U.S. Attorney
Chief, Bay City Branch

United States District Court
Eastern District of Michigan**Criminal Case Cover Sheet****Case Number**

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Reassignment/Recusal Information

This matter was opened in the USAO prior to August 15, 2008 []

Companion Case Information**Companion Case Number:**This may be a companion case based upon LCrR 57.10 (b)(4)¹:**Judge Assigned:**☐ Yes☒ No**AUSA's Initials:** SNW**Case Title:** USA v. RUTH ANN BUCK, M.D.**County where offense occurred :** BAY**Check One:**☒ **Felony**☐ **Misdemeanor**☐ **Petty**☒ Indictment/___ Information --- no prior complaint.

___ Indictment/___ Information --- based upon prior complaint [Case number:]

___ Indictment/___ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information**Superseding to Case No:** _____**Judge:** _____

- ☐ Original case was terminated; no additional charges or defendants.
- ☐ Corrects errors; no additional charges or defendants.
- ☐ Involves, for plea purposes, different charges or adds counts.
- ☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name**Charges****Prior Complaint (if applicable)**

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

June 9, 2010

Date



SHANE N. WALLER

Assistant United States Attorney

101 First Street, Suite 200

Bay City, MI 48708

Phone: 989-895-5712

Fax: 989-895-5790

E-Mail address: shane.waller@usdoj.gov

Attorney Bar #: TX24049796

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.